EXPLANATORY NOTE

It is high time to enact a law for special children not only as matter of declared policy of the State as echoed in various other existing laws, decrees, rules and regulations and the like.

Children with special needs or those afflicted with autism and ADHD syndrome which are maladies that now have become endemic and pervasive among families in depressed areas deserve care and intervention.

The Constitution provides that the State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all.


A strong legal framework has been made the basis of this humble measure.

This bill envisions that Special Education Centers for Children be established in every municipality, city and province such that in their respective areas, the needs of special children will be addressed properly and effectively.

To this end, the bill seeks the creation of a Special Children Wellness Board which shall act as a supervising agency to ably ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.

It is in this light that this humble representation strongly seeks the bill’s enactment into law, hence this submission.

PRECIOUS HIPOLITO CASTELO
AN ACT
ESTABLISHING SPECIAL EDUCATION CENTERS FOR CHILDREN WITH SPECIAL NEEDS IN EVERY LOCAL GOVERNMENT UNIT AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Republic of the Philippines in Congress assembled:

SECTION 1. This Act shall be known as the ‘Special Children Act.’

SEC. 2. Declaration of Policy. – (a) It is the declared policy of the State to protect and promote the right of all citizens to quality education at all levels and to take appropriate steps to make such education accessible to all.

(b) It is the policy of the State to take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children for quality education as stipulated in Article 7 of the United Nations Convention on the Rights of Persons with Disabilities.

(c) It is the policy of the State to protect the rights of children to include children with disabilities toward their integration into mainstream of society as stipulated in Presidential Decree No. 603 and Chapter 2, Section 14 of Republic Act No. 7277, Batas Pambansa Bilang 232 or the Special Education Act of 1982 and other issuances.

SEC. 3. Definition of Terms. – For purposes of this Act, the following terms of words and phrases shall mean or be understood as follows:

1. “Special children” means children afflicted with autism, ADHD, ASD and other development disorder. The term refers to children with disabilities who have no access and/or limited access to education.
2. “Autism” means a psychiatric disorder of childhood characterized by marked deficits in communication and social interaction, preoccupation with fantasy, language impairment, and abnormal behaviour, such as repetitive acts and excessive attachment to certain objects. It is usually associated with intellectual impairment.
3. “ADHD” means Attention Deficiency Hyperactivity Disorder.
4. “Teacher volunteers” refers to those who completed the required seminars for special education and duly certified by the Special Children’s Board.
5. “Special Education” is the education of persons who are physically, mentally, emotionally, socially and culturally different from so-called “normal” individuals that they require modification of school practices/services to develop them to their
SEC. 10. Separability Clause. – If, for any reason, any provision of this Act is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in force and effect.

SEC. 11. Effectivity Clause. – This Act shall take effect after its publication in at least two (2) newspapers of general circulation.

Approved,
maximum capacity. It addresses the need for access to quality education to
gifted and talented children and those with disabilities.

SEC. 4. Coverage. – This Act shall cover all cities and municipalities in either urban
or rural areas: Provided, that the provinces are covered for purposes of the implementation
of this Act.

SEC. 5. Mandate – Every municipality, city and province covered under this Act shall
establish and maintain Special Education Centers for Children with Special Needs in their
respective communities. Toward this end, all local government units shall provide a
sustainable program for the care and intervention of children with special needs such as
children with autism, those afflicted with mental and psychological underdevelopment, and
children with physical disability.

SEC. 6. Powers and Functions. – A municipal, city, or provincial Special Children
Wellness Board shall be created as supervising agency with the following powers and
functions:

1. Account for all special children in their respective communities
2. Formulate lifelong policies and oversee the entire operation of the program
3. Hire and employ adequate number of technically skilled teachers, trained
personnel, or teacher volunteers to be stationed in certain areas with salaries
commensurate to their qualification that would proportionately fit the total number
of special children in a given area
4. Provide easy access to educational and rehabilitation services to special children
and their families
5. Conduct seminars and training on the proper management and education of
special children and their parents
6. Motivate the family members to actively participate in the rehabilitation programs
of their children
7. Provide opportunities to wellness day care workers to enhance their knowledge
and skills in assisting persons with disabilities to organize a formal group
8. Develop parents of children with disabilities by organizing them into an
association accredited and recognized by the LGUs
9. Educate and train the parents, family members and personal assistants to work
closely together with wellness day care workers in the management of children
with disabilities and
10. Generate public awareness and support in mainstreaming children with
disabilities into the community through various advocacy and networking
activities

SEC. 7. Appropriation. – The amount necessary to carry out the provisions of this
Act is hereby authorized to be appropriated in the General Appropriations Act of the year
following its enactment and every year thereafter.

SEC. 8. Implementation. – For the effective implementation of this Act, the National
Council on Disability Affairs, the Department of Social Welfare and Development, the
Department of Interior and Local Government, and the Department of Education shall
formulate the Implementing Rules and Regulations, monitor and coordinate with Local
Government Units and other concerned agencies and non-government organizations.

SEC. 9. Repealing Clause. – All laws, decrees, executive orders, proclamations,
rules and regulations and other issuances or part or parts thereof which are inconsistent with
the provisions of this Act are hereby repealed or modified accordingly.